

August 23, 2006

Nancy L. Seidman
Division Director
Consumer and Transportation Programs
Bureau of Waste Prevention
Massachusetts Department of Environmental Protection
1 Winter Street
Boston, MA 02108

Dear Nancy:

I am writing in response to your letter dated August 4, 2006 with comments on the draft Wheelabrator Material Separation Plan 4 (MSP4) for the Millbury, North Andover and Saugus municipal waste combustors.

As stated at our meeting in March 2006 we will be happy to have small businesses, schools and medical facilities participate in the established Mercury Recovery Programs. Presently we offer permanent collection programs for the collection of elemental mercury and devices containing mercury at one or more location in sixty-nine of the seventy long term contracted communities participating in the program. Schools and small businesses are encouraged to participate by bringing universal waste containing mercury to any of these locations. In fact over the past few years many small businesses and schools have brought mercury containing devices to these locations for safe disposal.

Many communities already include small businesses and residents in their fluorescent lamp collection programs. Some communities are fortunate and have drop-off areas where residents and small businesses can afford themselves of the opportunity to safely dispose of these lamps on an ongoing basis. We are encouraging those communities that do not presently offer this service to small businesses and residents to consider ways to include them in the future. This may be through offering a fluorescent lamp recycling program as part of a household hazardous collection or having designated special collections at specific times throughout the year.

As demonstrated with our participation in the Boston Public Health Commission's Sphygmomanometer Recovery Program and the Healthcare Waste Reduction Initiative, we are interested in assisting health care facilities with their mercury reduction efforts. We will continue to participate in mercury recovery programs in health care facilities on a case by case basis. We would be glad to offer thermometer exchanges and free removal of mercury and devices containing mercury to any health care facility that requests such

assistance through DEP's outreach efforts. These individual programs will be conducted in conjunction with our existing community programs. Please advise the recipients of MassDEP's direct outreach efforts to contact their local Health Department to get information on their community's Mercury Recovery Program.

School Clean Sweeps: All of the School Clean Sweeps conducted in the public school systems of our participating communities included all primary and secondary schools. Facility Managers/ Maintenance Personal, Nursing Personnel and Science Directors throughout the entire school systems were instructed to inspect their respective areas. Personal inspections were conducted at most of the Middle Schools and High Schools. We recovered and replaced numerous fever thermometers and sphygmomanometers found in the primary and secondary school nursing offices.

Public Schools are directly related to the communities that we are working with. It is community tax dollars that are paying for the program. Therefore, it is only appropriate to offer the full Clean Sweeps Program to the public schools. Private Schools on the other hand have not contributed financially to the program, nor to the tax base in the community. We would be glad to assist private schools in establishing a collection and disposal program. We would be willing to provide replacement devices on a fee basis. Short of that, these same schools can and do participate in the community based program for the safe disposal of a variety of mercury containing devices by bringing these devices to the already established community collection locations. If a private school were to indicate that they had elemental mercury or a large quantity of mercury containing devices we would gladly offer a free pickup and disposal service to that particular school.

After consultation with all three of the Wheelabrator Plant Managers it was determined that it would be very difficult to offer a tiered system to surrounding communities. Private haulers have the option of taking trash to several different locations. Without a contractual commitment there is no way to guarantee a particular community's trash will come to a particular facility.

A second problem with a tiered system is that these communities will not be charged for the services similar to the contracted communities. Currently participating communities are assessed fifty cents a ton for each ton of trash disposed of at the facility. Since the haulers have the contracts for collection and disposal there is no opportunity to charge back the community for the services provided.

In consultation with the Plant Managers we will be willing to offer the Mercury Recovery Program to selected communities if certain criteria are met. If it can be verified that the trash from a particular community is being brought to a particular facility and if the hauling company guarantees that this community's trash will continue to come to the facility for at least two years we will offer to establish the Mercury Recovery Program in that community.

Another option for participation in the Mercury Recovery Program by non-contracted communities would be on a pay-as-you-go basis. If a community were interested in

participating in the Mercury Recovery Program, the program coordinator would assist the community in establishing a program with existing vendors. The community would pay the vendors directly for the services provided and would be responsible for the purchase of thermometers and their own promotional advertisements. We have added this component to the revised draft plans for each facility. The revised plans are attached.

As you are aware, after our meeting in March we moved quickly to implement certain aspects of the MSP4 plan in this calendar year, in advance of the actual required implementation date. We submitted a modification to the MSP3 plans and are currently in the process of initiating these programs. The budget that we have put together for MSP4 is very tight and in fact we are a little concerned that some of the initiatives may have cost overruns. Since some of the programs are new, we do not have a good perspective on the actual participation rates, and therefore actual costs. We tried to include as many initiatives as possible without stretching the budget too thin. At this point, to include additional initiatives would have a negative impact on the planned activities. If, as we proceed with the planned initiatives, it becomes apparent that there will be surplus funds we will consider submitting a modification to the plan to broaden our efforts.

Thank you for taking the time to review the draft plans and provide feedback. We hope we have addressed all of your comments to your satisfaction. If you have any questions or comments please do not hesitate to contact either myself or Pat Scanlon.

Sincerely,

Matt Hughes
Environmental Engineer

Cc:	Frank Ferraro, Wheelabrator Technologies Inc.	w/o attachment
	Pat Scanlon, Scanlon Associates	w/o attachment
	James C. Colman, MassDEP	w/o attachment
	Greg Cooper, MassDEP	w/o attachment
	Brooke Nash, MassDEP	w/o attachment
	Tina Klein, MassDEP	w/o attachment
	Marilyn Levenson, MassDEP	w/o attachment